



New South Wales

State Environmental Planning Policy No 4—Development Without Consent (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Urban Affairs and Planning.

ANDREW REFSHAUGE MP
Minister for Urban Affairs and Planning

1 Name of Policy

This Policy is *State Environmental Planning Policy No 4—Development Without Consent (Amendment No 10)*.

2 Aims, objectives etc

This Policy aims to amend *State Environmental Planning Policy No 4—Development Without Consent* to enable the use of a place of public worship to change from one kind of worship to another without the requirement to obtain development consent, provided that the change does not increase the environmental impact of the use and subject to any existing conditions attaching to the use.

1999 No 638

State Environmental Planning Policy No 4—Development Without
Consent (Amendment No 10)

Clause 3

3 Principal Policy

In this Policy, *State Environmental Planning Policy No 4—Development Without Consent* is referred to as the Principal Policy.

4 Land to which this Policy applies

This Policy applies to the whole of the land to which the Principal Policy applies.

5 Amendment of Principal Policy

The Principal Policy is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 5)

Clause 8A

Insert after clause 8:

8A Places of public worship

- (1) If:
 - (a) a building is or was last lawfully used for the purpose of a place of public worship of a particular kind, and
 - (b) the building could not, but for this clause, be used for the purposes of a place of public worship of another kind, except with development consent being obtained therefor,

the building may, without the necessity for development consent being obtained therefor, on not less than 40 days written notice being given to the council, be used for the purposes of a place of public worship of another kind, subject to subclause (2).
- (2) This clause does not authorise the use of a building for the purposes of a place of public worship if the use will increase or create adverse environmental impacts, such as:
 - (a) emission of noise, or
 - (b) movement of motor vehicles, or
 - (c) parking of motor vehicles, or
 - (d) significant change in the hours of use.
- (3) If, immediately before the commencement of a use of a building authorised by this clause, a condition of a development consent applied to the use of the building or the use of the land on which the building is erected, the condition applies to and in respect of the use of the building so authorised or the use of the land on which it is erected in the same way as it applies to and in respect of the former use.

BY AUTHORITY